

House File 2546 - Introduced

HOUSE FILE _____
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 709)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning department of administrative services
2 operations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5424HV 82
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1 1 Section 1. Section 8.6, Code Supplement 2007, is amended
1 2 by adding the following new subsection:
1 3 NEW SUBSECTION. 16. DESIGNATION OF SERVICES == FUNDING ==
1 4 CUSTOMER COUNCILS.
1 5 a. Establish a process by which the department, in
1 6 consultation with the department of administrative services,
1 7 shall determine which services provided by the department of
1 8 administrative services shall be funded by an appropriation
1 9 and which services shall be funded by the governmental entity
1 10 receiving the service.
1 11 b. Establish a process for determining whether the
1 12 department of administrative services shall be the sole
1 13 provider of a service for purposes of those services which the
1 14 department determines under paragraph "a" are to be funded by
1 15 the governmental entities receiving the service.
1 16 c. Establish, by rule, a customer council responsible for
1 17 overseeing the services provided solely by the department of
1 18 administrative services. The rules adopted shall provide for
1 19 all of the following:
1 20 (1) The method of appointment of members to the council by
1 21 the governmental entities required to receive the services.
1 22 (2) The duties of the customer council which shall be as
1 23 follows:
1 24 (a) Annual review and approval of the department of
1 25 administrative services' business plan regarding services
1 26 provided solely by the department of administrative services.
1 27 (b) Annual review and approval of the procedure for
1 28 resolving complaints concerning services provided by the
1 29 department of administrative services.
1 30 (c) Annual review and approval of the procedure for
1 31 setting rates for the services provided solely by the
1 32 department of administrative services.
1 33 (3) A process for receiving input from affected
1 34 governmental entities as well as for a biennial review by the
1 35 customer council of the determinations made by the department
2 1 of which services are funded by an appropriation to the
2 2 department of administrative services and which services are
2 3 funded by the governmental entities receiving the service,
2 4 including any recommendations as to whether the department of
2 5 administrative services shall be the sole provider of a
2 6 service funded by the governmental entities receiving the
2 7 service. The department, in consultation with the department
2 8 of administrative services, may change the determination of a
2 9 service if it is determined that the change is in the best
2 10 interests of those governmental entities receiving the
2 11 service.
2 12 d. If a service to be provided may also be provided to the
2 13 judicial branch and legislative branch, then the rules shall
2 14 provide that the chief justice of the supreme court and the
2 15 legislative council may, in their discretion, each appoint a
2 16 member to the customer council.
2 17 Sec. 2. NEW SECTION. 8A.111 REPORTS REQUIRED.

2 18 The department shall provide all of the following reports:

- 2 19 1. An annual report of the department as required under
- 2 20 section 7E.3, subsection 4.
- 2 21 2. Internal service fund service business plans and
- 2 22 financial reports as required under section 8A.123, subsection
- 2 23 5, paragraph "a", and an annual internal service fund
- 2 24 expenditure report as required under section 8A.123,
- 2 25 subsection 5, paragraph "b".
- 2 26 3. An annual report regarding total spending on technology
- 2 27 as required under section 8A.204, subsection 3, paragraph "a".
- 2 28 4. An annual report of expenditures from the IowaAccess
- 2 29 revolving fund as provided in section 8A.224.
- 2 30 5. A technology audit of the electronic transmission
- 2 31 system as required under section 8A.223.
- 2 32 6. An annual report on state purchases of recycled and
- 2 33 soybean-based products as required under section 8A.315,
- 2 34 subsection 1, paragraph "d".
- 2 35 7. An annual report on the status of capital projects as
- 3 1 required under section 8A.321, subsection 11.
- 3 2 8. An annual salary report as required under section
- 3 3 8A.341, subsection 2.
- 3 4 9. An annual average fuel economy standards compliance
- 3 5 report as required under section 8A.362, subsection 4,
- 3 6 paragraph "c".
- 3 7 10. An annual report of the capitol planning commission as
- 3 8 required under section 8A.373.
- 3 9 11. A comprehensive annual financial report as required
- 3 10 under section 8A.502, subsection 8.
- 3 11 12. An annual report regarding the Iowa targeted small
- 3 12 business procurement Act activities of the department as
- 3 13 required under section 15.108, subsection 7, paragraph "c",
- 3 14 and quarterly reports regarding the total dollar amount of
- 3 15 certified purchases for certified targeted small businesses
- 3 16 during the previous quarter as required in section 73.16,
- 3 17 subsection 2. The department shall keep any vendor
- 3 18 identification information received from the department of
- 3 19 inspections and appeals as provided in section 10A.104,
- 3 20 subsection 8, and necessary for the quarterly reports,
- 3 21 confidential to the same extent as the department of
- 3 22 inspection and appeals is required to keep such information.
- 3 23 Confidential information received by the department from the
- 3 24 department of inspections and appeals shall not be disclosed
- 3 25 except pursuant to court order or with the approval of the
- 3 26 department of inspections and appeals.
- 3 27 13. An annual report on the condition of affirmative
- 3 28 action, diversity, and multicultural programs as provided
- 3 29 under section 19B.5, subsection 2.
- 3 30 14. An unpaid warrants report as required under section
- 3 31 25.2, subsection 3, paragraph "b".
- 3 32 15. A report on educational leave as provided under
- 3 33 section 70A.25.
- 3 34 16. A monthly report regarding the revitalize Iowa's sound
- 3 35 economy fund as required under section 315.7.

4 1 Sec. 3. Section 8A.202, subsection 2, paragraph e, Code

4 2 2007, is amended by striking the paragraph.

4 3 Sec. 4. Section 8A.221, subsection 2, paragraph a,

4 4 subparagraph (2), Code 2007, is amended to read as follows:

4 5 (2) Recommend to the director the priority of projects

4 6 associated with IowaAccess. The recommendation may also

4 7 include a recommendation concerning funding for a project

4 8 proposed by a political subdivision of the state or an

4 9 association, the membership of which is comprised solely of

4 10 political subdivisions of the state. Prior to recommending a

4 11 project proposed by a political subdivision, the advisory

4 12 council shall verify that all of the following conditions are

4 13 met:

4 14 (a) The proposed project provides a benefit to the state.

4 15 (b) The proposed project, once completed, can be shared

4 16 with and used by other political subdivisions or the state, as

4 17 appropriate.

4 18 (c) The state retains ownership of any final product or is

4 19 granted a permanent license to the use of the product.

4 20 Sec. 5. Section 10A.104, subsection 8, Code 2007, is

4 21 amended to read as follows:

4 22 8. Establish by rule standards and procedures for

4 23 certifying that targeted small businesses are eligible to

4 24 participate in the procurement program established in sections

4 25 73.15 through 73.21. The procedure for determination of

4 26 eligibility shall not include self-certification by a

4 27 business. The director shall maintain a current directory of

4 28 targeted small businesses that have been certified pursuant to

4 29 this subsection. The director shall also provide information
4 30 to the department of administrative services necessary for the
4 31 identification of targeted small businesses as provided under
4 32 section 8A.111, subsection 12.

4 33 Sec. 6. Section 305.10, subsection 1, paragraph h, Code
4 34 2007, is amended to read as follows:

4 35 h. Prepare all mandated reports, newsletters, and
5 1 publications for electronic distribution in accordance with
5 2 government information policies, standards, and guidelines. A
5 3 reference copy of all mandated reports, newsletters, and
5 4 publications shall be located at an electronic repository for
5 5 public access ~~to be developed and maintained by the department~~
~~5 6 of administrative services in consultation with the state~~
~~5 7 librarian and the state archivist.~~

5 8 Sec. 7. Section 8A.121, Code 2007, is repealed.

5 9 EXPLANATION

5 10 This bill concerns department of administrative services
5 11 operations.

5 12 The bill provides that the department of management, and
5 13 not the department of administrative services, is responsible
5 14 for determining which services provided by the department of
5 15 administrative services shall be funded by an appropriation
5 16 and which services will be funded by the government entities
5 17 receiving the service. The bill requires the department of
5 18 management to consult with the department of administrative
5 19 services in making this determination. The bill also provides
5 20 that the department of management is responsible for
5 21 determining which services that will be funded by the
5 22 government entities shall be solely provided by the department
5 23 of administrative services. For those services solely
5 24 provided by the department of administrative services, the
5 25 bill provides for the department of management to establish a
5 26 customer council responsible for reviewing the department of
5 27 administrative services' business plan and setting the rates
5 28 charged government entities regarding the services provided.
5 29 Code section 8A.121, which provided that the department of
5 30 administrative services is responsible for these duties, is
5 31 repealed.

5 32 New Code section 8A.111 lists reports that the department
5 33 of administrative services is required to prepare or produce
5 34 under current law. The section also provides that the
5 35 department maintain as confidential any confidential
6 1 information received by the department from the department of
6 2 inspections and appeals to prepare reports concerning targeted
6 3 small businesses.

6 4 Code section 8A.221, concerning the duties of the IowAccess
6 5 advisory council, is amended to provide that the council, when
6 6 recommending the priority of IowAccess projects, may also
6 7 include a recommendation concerning funding for a project
6 8 proposed by a political subdivision of the state or an
6 9 association representing political subdivisions. The bill
6 10 also provides that prior to recommending a project by a
6 11 political subdivision the council shall verify that the
6 12 project benefits the state, will be shared with other
6 13 governmental entities, and that the state retains ownership of
6 14 a final product or is granted a permanent license to use the
6 15 product.

6 16 Code section 10A.104(8) is amended to provide that the
6 17 director of the department of inspections and appeals provide
6 18 information to the department of administrative services
6 19 necessary for the identification of targeted small businesses
6 20 in preparing reports by the department of administrative
6 21 services.

6 22 Code section 305.10, concerning agency records, is amended
6 23 to eliminate the requirement that the department of
6 24 administrative services develop and maintain an electronic
6 25 repository for public access.

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